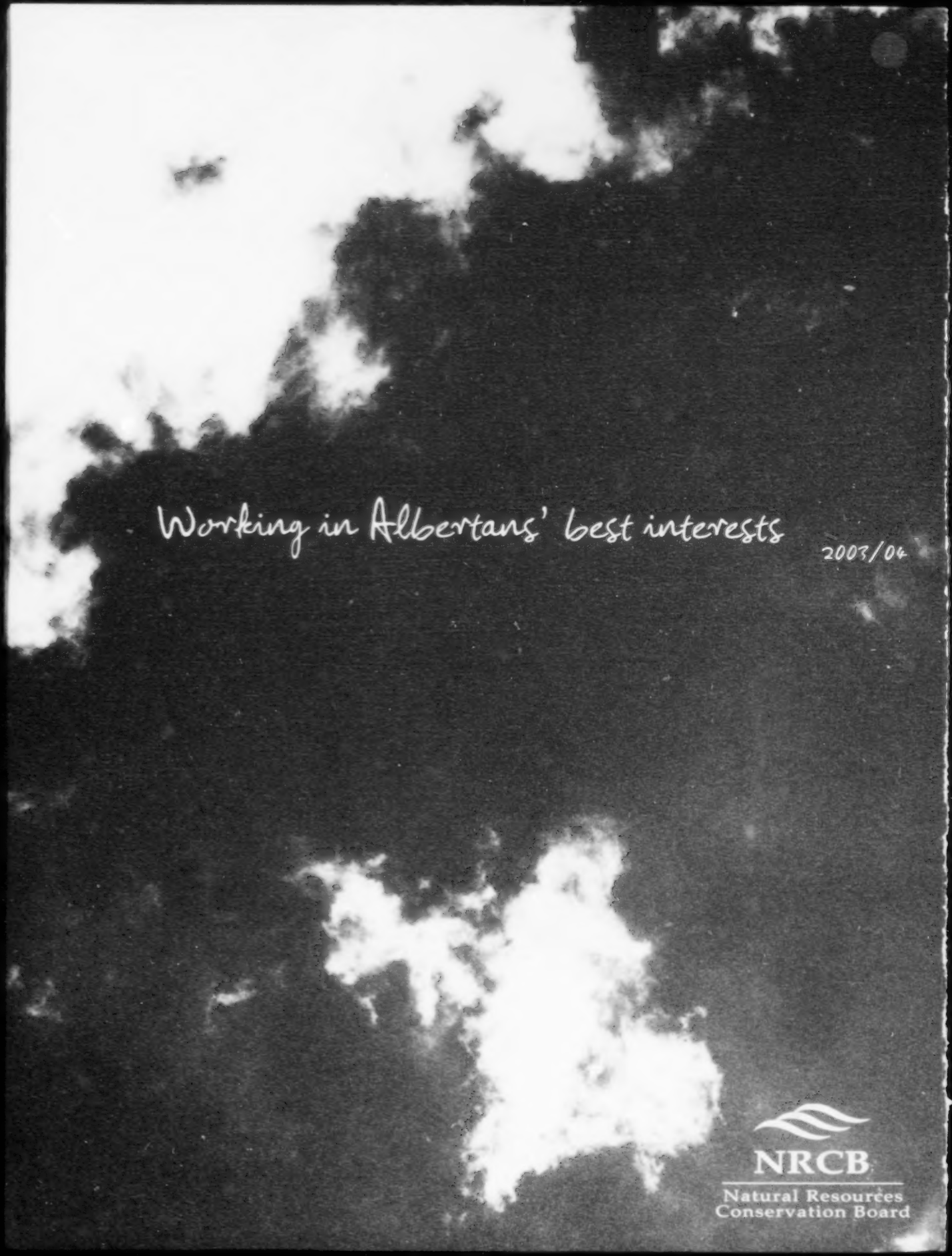
Working in Albertans' best interests
2003/04
NRCB
Natural Resources
Conservation Board

We work to ensure the development of Alberta's natural resources occurs in a socially, economically and environmentally responsible manner.

WHO WE ARE

The Natural Resources Conservation Board (NRCB) is a provincial, quasi-judicial regulatory agency for Alberta's natural resource and confined feeding industries. We are 43 individuals working in six locations throughout Alberta.

WHAT WE DO

The NRCB has been given numerous responsibilities relating to the regulation of very different industries in Alberta. These are outlined in two separate pieces of legislation. On the one hand, the Natural Resources Conservation Board Act (NRCBA) guides the NRCB in its decision-making role with respect to non-energy natural resource developments, while the Agricultural Operation Practices Act (AOPA) guides the NRCB in its work as Alberta's confined feeding industry regulator. NRCB activities fall into three main areas – project assessment and approval, compliance and enforcement, and Board reviews and hearings.

DECIDING AS IN THE PUBLIC INTEREST

In all areas, we have a duty to ensure that decisions we make are "in the public interest." Making decisions in the public interest means impartially considering economic, social and environmental impacts of proposed developments, ensuring impacts are mitigated to the greatest degree possible, and balancing these elements to arrive at decisions in Albertans best interests.

Albertans can rely on the NRCB to be accountable, transparent, fair and effective while bringing balance to its decision-making role.

NATURAL RESOURCE DEVELOPMENTS

We were established as a regulatory agency in 1991 through the Natural Resources Conservation Board Act. Since then we have reviewed numerous proposed developments affecting Alberta's non-energy natural resources. A number of NRCB approved developments have become a significant part of the environmental, economic and social landscape of Alberta. These include forestry, large recreational and tourism projects, mines and water management projects.

ACTIVITIES AND EXPERTISE EXPANDS

In 2002, through the Agricultural Operation Practices Act (AOPA) we began to regulate Alberta's confined feeding industry. We have worked hard to establish a regulatory framework for this industry, building on our regulatory expertise with non-energy resource development and adding knowledge from the agricultural sector.

ALBERTANS CAN LOOK TO THE NRCB FOR

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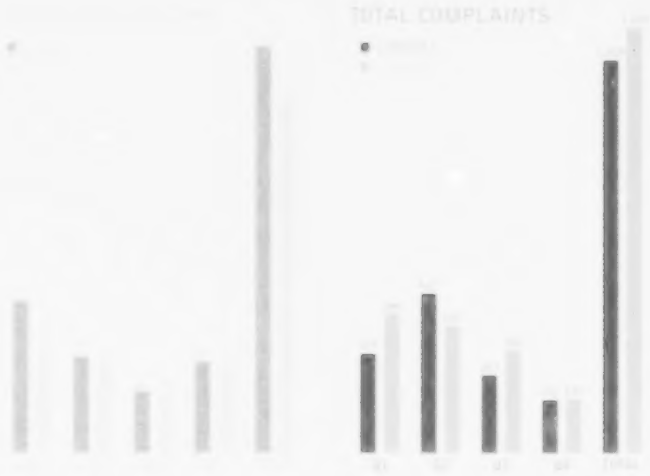


OPERATIONAL HIGHLIGHTS 2003/04

APPLICATIONS & DECISIONS

Approvals	86	51	5	16
Registrations	61	21	6	13
Authorizations	41	40	8	32
TOTAL	188	100	11	111

REGIONAL ANAPHOST

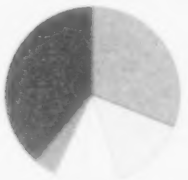
Approvals	72	33	14	16	134
Decisions	84	18	9	19	131

RESPONSE TO COMPLAINTS

Total Complaints	439	433	97	186	1155
Questions Received	134	128	31	60	353
Complaint Type					
Interference	280	215	66	126	687
Water quality	46	34	12	41	134
Non-compliance issues	47	83	9	7	146
Other	47	32	4	12	88

ENFORCEMENT ORDERS ISSUED

Non-compliance with regulations	10
Non-compliance with approval or permit	1
Risk to environment / inappropriate disturbance	2
TOTAL	13



THE NRCB POSTS ITS QUARTERLY REPORTS AT

WWW.NRCB.GOV.AB.CA

To Albertans,

Over the past year, I have been fortunate to lead an organization whose employees, everyday, are working in Albertans' interests – an organization of highly skilled individuals dedicated to their roles in ensuring resource development is sustainable and the public interest is protected.

Together, we're working to enhance the regulatory framework to ensure an effective, fair system that meets the needs of stakeholders, so that Albertans will be confident in how the province's natural resources and confined feeding industries are developed and managed.

This document gives readers an idea of the NRCB's activities over the past year and its role in Alberta's resource development future. Thank you for taking the time to find out more about us.

Brady D. Whittaker,
Chairman

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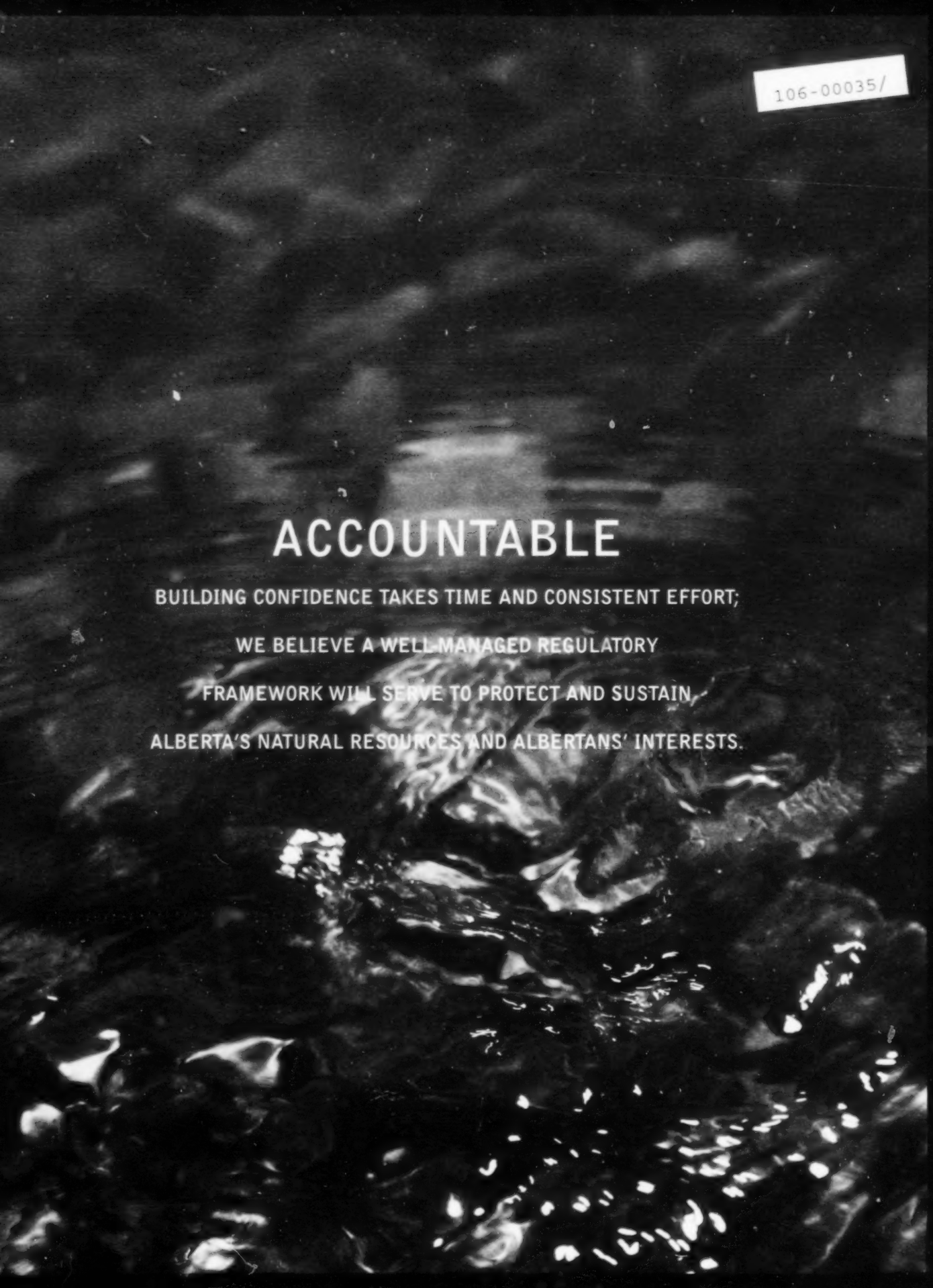


ACCOUNTABLE

BUILDING CONFIDENCE TAKES TIME AND CONSISTENT EFFORT;
WE BELIEVE A WELL-MANAGED REGULATORY
FRAMEWORK WILL SERVE TO PROTECT AND SUSTAIN
ALBERTA'S NATURAL RESOURCES AND ALBERTANS' INTERESTS.

CREDIBLE
ENSURING ALL DEVELOPMENTS ARE THOROUGHLY REVIEWED
AND ALL ELEMENTS OF THE PUBLIC INTEREST ARE CONSIDERED

154 AOPA applications received
111 AOPA decisions issued

On any given day, the NRCB's Approval Officers work to ensure that the application process for livestock operators is well understood, efficient, and applications are technically complete.

REVIEWING THE APPLICATION

For a review of an application, an Approval Officer will assess various technical aspects of a proposed development including: protection of groundwater and the water-table, surface water control systems, natural water and well requirements, manure storage and application, and nutrient management. NRCB Approval Officers have expert understanding of engineering and design requirements. For specialized technical support, an Approval Officer may involve other experts on staff with the NRCB, such as a hydrogeologist or a soils specialist.

Applicants need to be aware that generally they are required to engage the services of third party consultants and professionals in order to supply technical reports and other data to address the requirements of the regulations.

"Today more livestock operators are aware of the increased technical requirements that an application to the NRCB entails, in contrast to what they were used to under the system of municipal permits," says Kai Ma, Approval Officer, Lethbridge. "Over the past two years we have strived not only to educate operators, but to improve the process for collecting information so that decisions are made more efficiently."

LISTENING TO CONCERNS

The NRCB encourages applicants to consult with parties who may be potentially affected by their proposed development. Early involvement and communication with neighbours, community residents and municipalities may lead to a greater understanding of each other's interests and a smoother process for all.

LAND USE ISSUES

Municipal governments are no longer responsible for issuing confined feeding operation (CFO) development permits, but are encouraged to provide input on specific applications and to develop land use plans that identify where new and expanding CFOs would not be compatible with current or future land uses.

Approval Officers are required by legislation to deal with issues raised by municipalities and various potentially affected parties. In all applications, regardless of size, municipalities are deemed to be directly affected and Approval Officers must seek their input in any development within their boundaries. When reviewing an application, Approval Officers are concerned with ensuring that it meets the municipality's land use zoning plans.

Approval Officer – Red Deer
DAVID ROBERTS

NOTIFICATION REQUIREMENTS

As a result of recent amendments to AOPA, applications for registrations (smaller size applications) will require the NRCB to notify individuals and landowners located within one half mile or within the minimum distance of separation (MDS) – whichever is greater – of a proposed facility. Prior to this change, only the applicant and the municipality were deemed to be directly affected.

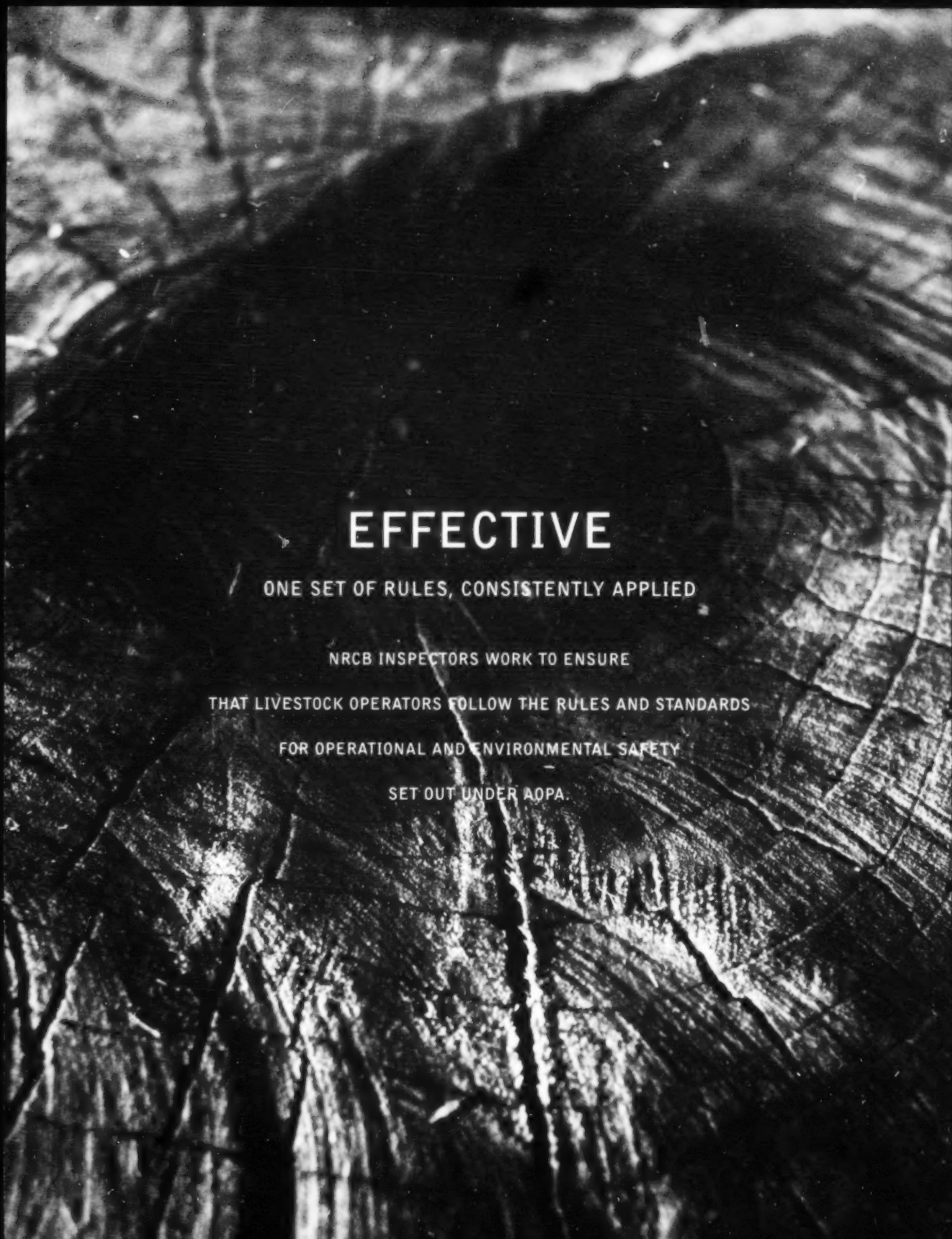
Operations that are smaller than registration size, that do not require a permit from the NRCB, may be regulated by municipalities through land use bylaws. Regardless of size, the NRCB will respond to issues arising from a facility where there may be a risk to the environment.

TWO NEW GUIDES ARE NOW AVAILABLE:

NRCB GUIDE TO THE APPLICATION PROCESS

HOW TO COMPLETE AN APPLICATION FOR AN NRCB PERMIT

Copies can be obtained at your nearest NRCB office or at www.nrcb.gov.ab.ca



EFFECTIVE

ONE SET OF RULES, CONSISTENTLY APPLIED

NRCB INSPECTORS WORK TO ENSURE

THAT LIVESTOCK OPERATORS FOLLOW THE RULES AND STANDARDS

FOR OPERATIONAL AND ENVIRONMENTAL SAFETY

SET OUT UNDER AOPA.

7,103 complaints responded to by NRCB Inspectors

57% of complaints related to odour/nuisance

19 enforcement orders issued

WHAT IS AN OFFENCE UNDER AOPA?

TECHNICAL GUIDELINES

In 2004, the NRCB is set to release a new series of Technical Guidelines intended to assist operators by communicating in greater detail what is expected of them with regards to specific requirements, such as leak detection and monitoring. They are intended to provide further clarification and direction regarding the practical and technical aspects of implementing AOPA and its regulations.

CREATING AWARENESS OF THE RULES

As part of their duties, NRCB Inspectors have played a key role in educating operators about their responsibilities under AOPA. In many instances, an Inspector visits an operation in response to a complaint and uses the opportunity to educate the operator, allowing the operator to voluntarily comply.

NRCB staff also work to raise awareness of the role and responsibility of the NRCB as regulator of Alberta's livestock industry, and the expectations of operators with respect to environmental safety and manure management practices outlined in AOPA.

This educational component of the NRCB's work with industry continues. And, in moving beyond the introductory phase of its first two years of operation, the NRCB's compliance and enforcement focus is expanding to include the use of escalating consequences where appropriate.

FOCUSED ON ONGOING MONITORING

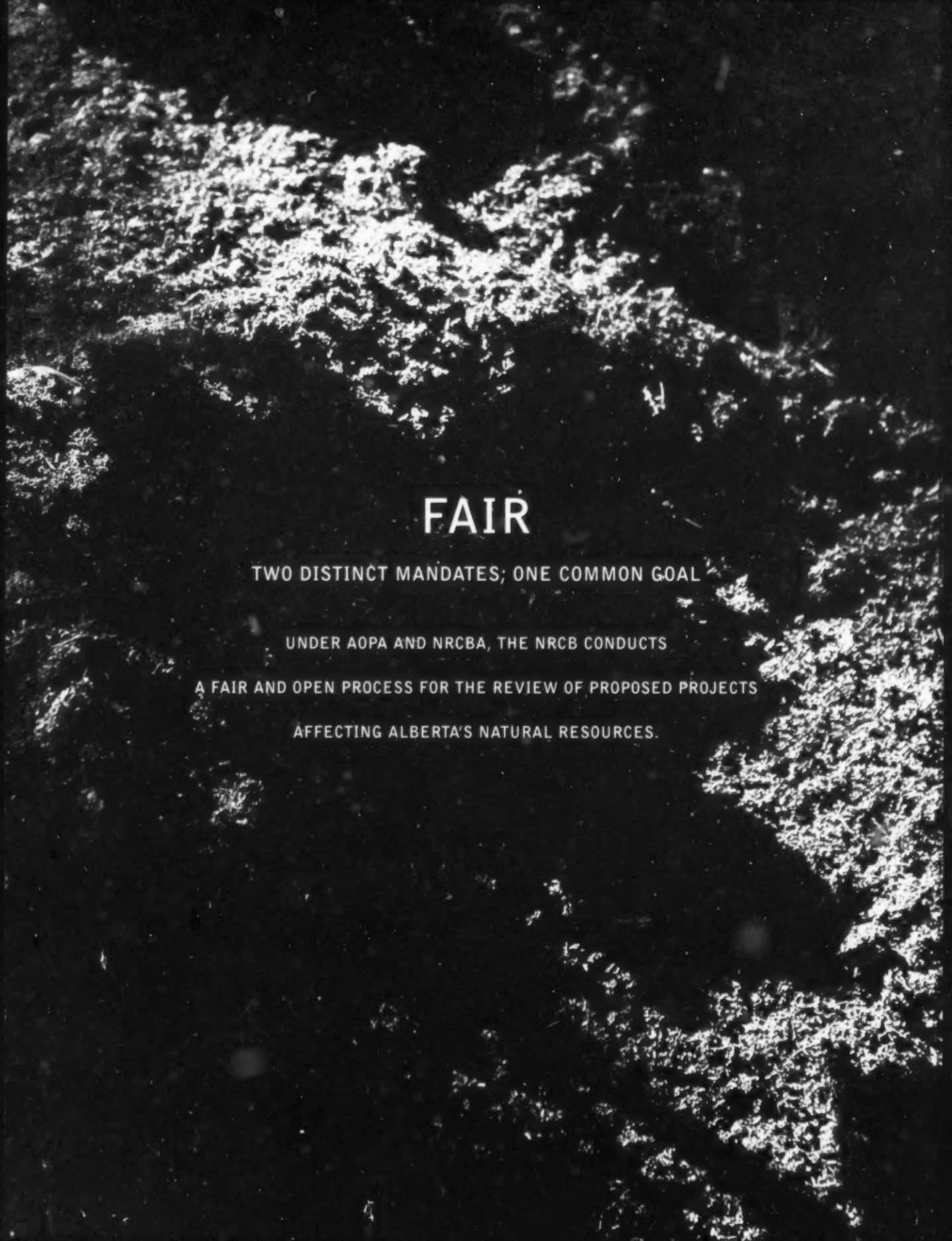
Since January 2002, when AOPA first came into effect, NRCB Inspectors focused much of their time on responding to and resolving complaints received by the NRCB about livestock operations.

"In our first two years of operation, we have been largely complaint driven, which has served us well as the new player in the process, with new rules," says Frank DeGroot, Inspector, Lethbridge Office. During this time, the NRCB has been able to resolve 92% of the 2,239 complaints received, through the hard work of nine Inspectors in four regional offices. Moving forward, much of an Inspector's time will be spent in the ongoing monitoring of CFOs, whether they were approved by the NRCB or previously under the municipal system. NRCB Inspectors will continue to respond to complaints received, but as a team they will be very focused on ongoing monitoring of CFOs, to ensure they are meeting their permit conditions.

NEW ENFORCEMENT TOOL

With the amendments to AOPA passed in June 2004 comes a new tool for NRCB Inspectors. The NRCB now has the authority to take immediate action if a situation poses an environmental risk. An emergency order allows the NRCB to take corrective action and recover costs if an enforcement order is not complied with or if the situation poses an immediate environmental risk.

THE PUBLIC CAN CONTACT THE NRCB THROUGH THE 24-HOUR RESPONSE LINE: 1 866 383 6722 TO FILE A COMPLAINT REGARDING A LIVESTOCK OPERATION IN THE PROVINCE OF ALBERTA. THE NRCB FOLLOWS UP ON EVERY COMPLAINT IT RECEIVES.



FAIR

TWO DISTINCT MANDATES; ONE COMMON GOAL

UNDER AOPA AND NRCBA, THE NRCB CONDUCTS

A FAIR AND OPEN PROCESS FOR THE REVIEW OF PROPOSED PROJECTS

AFFECTING ALBERTA'S NATURAL RESOURCES.

111 decisions issued

Requested to review
22 of 111 decisions

11 reviews/hearings held in
2003/2004

Under the Agricultural Operation Practices Act and the Natural Resources Conservation Board Act, the Board's responsibility is to conduct a fair and open process for the review of proposed projects affecting Alberta's non-energy resources and confined feeding industries.

NRCB hearings provide a public forum for presentation and testing of a project's environmental, social and economic evidence. Reviews typically take the form of a public hearing, although the NRCB may use mediation, written proceedings or meetings to resolve concerns and allow the Board to gather evidence in arriving at its decision. Public hearings are conducted by a panel of the Board (usually three Members and/or Acting Members).

Major natural resource project hearings generally involve a greater amount of complex scientific and technical information which may require a week or more of hearing time. On average, review hearings of agricultural operations are finalized in one to two days.

NRCBA REVIEWS

Since 1991, the NRCB has reviewed major non-energy natural resource developments such as pulp mills, large recreational and tourism projects, mines and water management projects. During this time, the Board has assessed proposals for 14 large scale developments.

The public hearing process for a development proposed under the NRCBA is formal and quasi-judicial in nature. It ensures hearing participants have the opportunity to intervene and have their concerns considered.

The hearing follows a set procedure that includes opening remarks, discussion of procedural or legal matters (preliminary matters), submissions (including questioning of witnesses by other participants, NRCB staff and the Board), rebuttal by the applicant and final arguments.

Public participation is a critical component of an NRCBA review and helps ensure that the Board has access to relevant and reliable information from different perspectives to determine if a project is in the public interest. Individual members of the public, organized public interest groups and federal, provincial and municipal representatives are allowed to make representations to the Board and to examine evidence presented by other parties.

Currently two applications are before the Board; one deals with the proposed expansion of Agrium Product Inc.'s phosphogypsum storage area near Fort Saskatchewan; and the other involves a proposed limestone quarry development near Fort McMurray.

In February/March, 2004, the Board held an extensive public hearing over eight days regarding Agrium's application.

AOPA REVIEWS

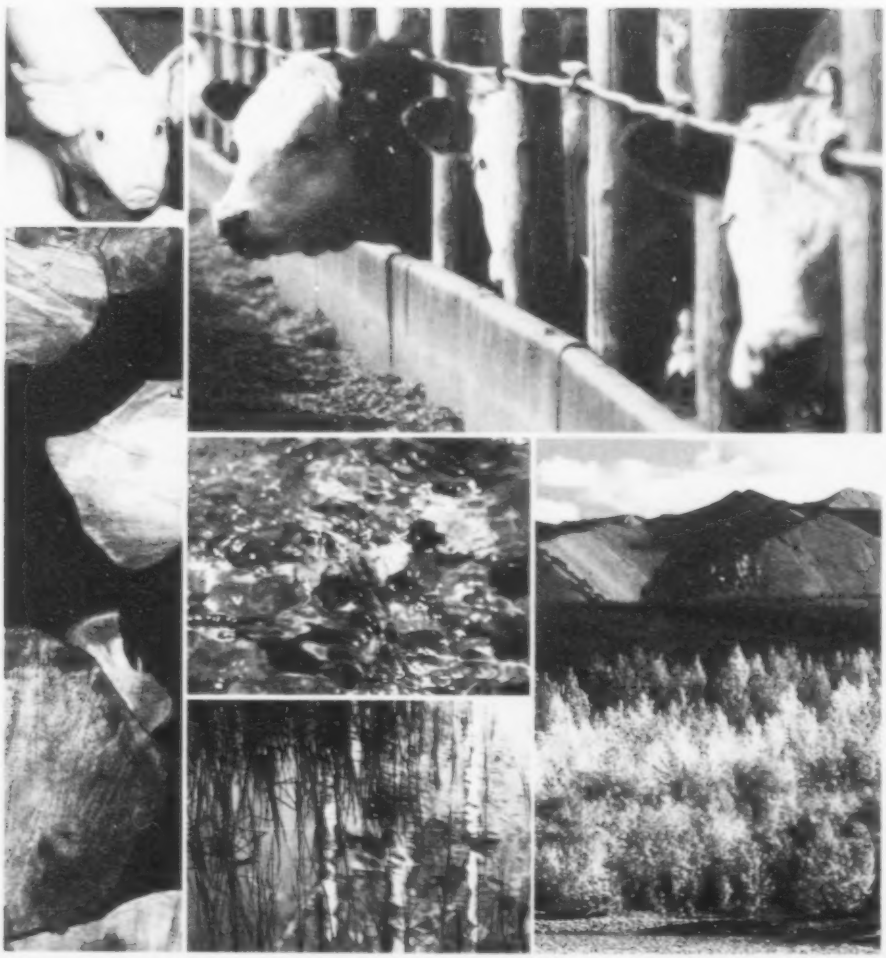
AOPA reviews are triggered when either an applicant or a directly affected party requests the Board review an Approval Officer's decision (or an operator requests a review of an enforcement order issued by an Inspector).

AOPA protects the rights of directly affected parties by allowing them the opportunity to request a Board review of any decision on an AOPA application. Directly affected parties have 10 working days to request a Board review by submitting a "request for review" stating the merits of issues they feel were inadequately considered by an Approval Officer. If no request for review is received in the allotted time, the original decision stands.

Similar to NRCBA reviews, AOPA reviews are formal and quasi-judicial in nature. Directly affected parties have the opportunity to intervene and have their concerns heard. Hearings are held in the community closest to the proposed livestock development.

In 2003/04, NRCB Approval Officers issued 111 decisions related to agricultural operations and the Board received requests to review 22 of them. Of these requests, the Board granted and held 10 AOPA reviews.

AOPA PROTECTS THE RIGHTS OF DIRECTLY AFFECTED PARTIES BY ALLOWING THEM THE OPPORTUNITY TO REQUEST A BOARD REVIEW OF ANY DECISION.



RESOLVING CONCERNS AT AN EARLY STAGE

NRCB 2004 Staff

GORDON ATKINS
Board Member

DOUG BEDDOME
Inspector

ANDREA BRACK
Approval Officer

ALEX BOLTON
Director, Compliance & Enforcement

LINDA BRAZEL
Administrative Assistant

BEV BREZINA
Applications Coordinator

ANDY CUMMING
Director, Applications

SCOTT CUNNINGHAM
Approval Officer

FRANK DEGROOT
Inspector

LAURA FRIEND
Secretary to the Board

JIM FUJIKAWA
Senior Soil Specialist

SHARON GAGNON
Administrative Assistant

BARB HAZELTON
Inspector

BEN HSU
Financial Administrator

WAYNE INKPEN
Board Member

JUDY IRELAND
Administrative Assistant

KARL IVARSON
Inspector

EILEEN KAHLER
Director, Communications

SYLVIA KAMINSKI
Administrative Assistant

BILL KENNEDY
General Counsel

ORIN KENZIE
Approval Officer

GARBINE LAZAR
Communications Specialist

SHEILA LEGGETT
Board Member

KAI MA
Approval Officer

ALASDAIR MACKINNON
Inspector

JIM MCKINLEY
Inspector

VINCE MURRAY
Approval Officer

ROBERT POWELL
Director, Science & Technology

AALIYAH RIZWAN
Accounting Coordinator

LAURA ROBERTS
Environmental Scientist

SANDI ROBERTS
Approval Officer

JACINTA RODRIGUES
Director, Finance & Risk Management

SUSAN SCHLEMKO
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MAUREEN SCHWAB
Board Member

PHYLLIS SENNEKER
Administrative Assistant

KEVIN SEWARD
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RACHEL STEIN
Review Officer

RICHARD STEIN
Senior Hydrogeologist

KURT STILWELL
Counsel

JIM TURNER
Board Member

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BRADY WHITTAKER
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